

ILLEGIB

83^d CONGRESS
2^d SESSION

H. R. 9580

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1954

MR. GRAHAM introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To revise and extend the laws relating to espionage and sabotage, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act, divided into titles and sections, may be cited
4 as the "Espionage and Sabotage Act of 1954".

5 TITLE I—WAR AND DEFENSE MATERIALS,
6 PREMISES AND UTILITIES

7 SEC. 101. Section 2151 of title 18, United States Code,
8 is amended to read as follows:

9 "§ 2151. Definitions

10 "As used in this chapter:

11 "The words 'war material' include arms, armament, am-

1 munition, livestock, forage, forest products and standing
2 timber, stores of clothing, air, water, food, foodstuffs, fuel,
3 supplies, munitions, and all articles, parts or ingredients,
4 intended for, adapted to, or suitable for the use of the United
5 States or any associate nation, in connection with the con-
6 duct of war or defense activities.

7 "The words 'war premises' include all buildings, grounds,
8 mines, or other places wherein such war material is being
9 produced, manufactured, repaired, stored, mined, extracted,
10 distributed, loaded, unloaded, or transported, together with
11 all machinery and appliances therein contained; and all forts,
12 arsenals, navy yards, camps, prisons, or other installations
13 of the Armed Forces of the United States, or any associate
14 nation.

15 "The words 'war utilities' include all railroads, rail-
16 ways, electric lines, roads of whatever description, any rail-
17 road or railway fixture, canal, lock, dam, wharf, pier, dock,
18 bridge, building, structure, engine, machine, mechanical con-
19 trivance, car, vehicle, boat, aircraft, airfields, air lanes, and
20 fixtures or appurtenances thereof, or any other means of
21 transportation whatsoever, whereon or whereby such war
22 material or any troops of the United States, or of any asso-
23 ciate nation, are being or may be transported either within
24 the limits of the United States or upon the high seas or else-
25 where; and all air-conditioning systems, dams, reservoirs,

1 aqueducts, water and gas mains and pipes, structures and
2 buildings, whereby or in connection with which air, water
3 or gas is being furnished, or may be furnished, to any war
4 premises or to the Armed Forces of the United States, or any
5 associate nation, and all electric light and power, steam or
6 pneumatic power, telephone and telegraph plants, poles,
7 wires, and fixtures, and wireless stations, and the buildings
8 connected with the maintenance and operation thereof used
9 to supply air, water, light, heat, power, or facilities of com-
10 munication to any war premises or to the Armed Forces of
11 the United States, or any associate nation.

12 “The word ‘associate nation’ means any nation at war
13 with any nation with which the United States is at war.

14 “The words ‘national-defense material’ include arms,
15 armament, ammunition, livestock, forage, forest products and
16 standing timber, stores of clothing, air, water, food, food-
17 stuffs, fuel, supplies, munitions, and all other articles of what-
18 ever description and any part or ingredient thereof, intended
19 for, adapted to, or suitable for the use of the United States in
20 connection with the national defense or for use in or in con-
21 nection with the producing, manufacturing, repairing, stor-
22 ing, mining, extracting, distributing, loading, unloading, or
23 transporting of any of the materials or other articles herein-
24 before mentioned or any part or ingredient thereof.

25 “The words ‘national-defense premises’ include all build-

1 ings, grounds, mines, or other places wherein such national-
2 defense material is being produced, manufactured, repaired,
3 stored, mined, extracted, distributed, loaded, unloaded, or
4 transported, together with all machinery and appliances
5 therein contained; and all forts, arsenals, navy yards, camps,
6 prisons, or other installations of the Armed Forces of the
7 United States.

8 "The words 'national-defense utilities' include all rail-
9 roads, railways, electric lines, roads of whatever descrip-
10 tion, railroad or railway fixture, canal, lock, dam, wharf,
11 pier, dock, bridge, building, structure, engine, machine,
12 mechanical contrivance, car, vehicle, boat, aircraft, airfields,
13 air lanes, and fixtures or appurtenances thereof, or any other
14 means of transportation whatsoever, whereon or whereby
15 such national-defense material, or any troops of the United
16 States, are being or may be transported either within the
17 limits of the United States or upon the high seas or else-
18 where; and all air-conditioning systems, dams, reservoirs,
19 aqueducts, water and gas mains and pipes, structures, and
20 buildings, whereby or in connection with which air, water,
21 or gas may be furnished to any national-defense premises or
22 to the Armed Forces of the United States, and all electric
23 light and power, steam or pneumatic power, telephone and

1 telegraph plants, poles, wires, and fixtures and wireless
2 stations, and the buildings connected with the maintenance
3 and operation thereof used to supply air, water, light, heat,
4 power, or facilities of communication to any national-defense
5 premises or to the Armed Forces of the United States."

6 SEC. 102. Section 2153 of title 18, United States Code,
7 is amended to read as follows:

8 "§ 2153. Destruction of raw material, war premises, or war
9 utilities

10 "(a) Whoever, when the United States is at war, or in
11 times of national emergency as declared by the President
12 or by the Congress, with intent to injure, interfere with, or
13 obstruct the United States or any associate nation in pre-
14 paring for or carrying on the war or defense activities, or,
15 with reason to believe that his act may injure, interfere with,
16 or obstruct the United States or any associate nation in pre-
17 paring for or carrying on the war or defense activities, will-
18 fully injures, destroys, contaminates or infects, or attempts to
19 so injure, destroy, contaminate or infect any war material,
20 war premises, or war utilities, shall be fined not more than
21 \$10,000 or imprisoned not more than thirty years, or both.

22 "(b) If two or more persons conspire to violate this
23 section, and one or more of such persons do any act to

1 effect the object of the conspiracy, each of the parties to such
2 conspiracy shall be punished as provided in subsection (a)
3 of this section."

4 SEC. 103. Section 2154 of title 18, United States Code,
5 is amended to read as follows:

6 "§ 2154. Production of defective war material, war premises,
7 or war utilities

8 "(a) Whoever, when the United States is at war, or
9 in times of national emergency as declared by the President
10 or by the Congress, with intent to injure, interfere with,
11 or obstruct the United States or any associate nation in
12 preparing for or carrying on the war or defense activities,
13 or, with reason to believe that his act may injure, interfere
14 with, or obstruct the United States or any associate nation
15 in preparing for or carrying on the war or defense activities,
16 willfully makes, constructs, or causes to be made or con-
17 structed in a defective manner, or attempts to make, con-
18 struct, or cause to be made or constructed in a defective
19 manner any war material, war premises or war utilities, or
20 any tool, implement, machine, utensil, or receptacle used or
21 employed in making, producing, manufacturing, or repairing
22 any such war material, war premises or war utilities, shall
23 be fined not more than \$10,000 or imprisoned not more
24 than thirty years, or both.

25 "(b) If two or more persons conspire to violate this

1 section, and one or more of such persons do any act to
2 effect the object of the conspiracy, each of the parties to
3 such conspiracy shall be punished as provided in subsection
4 (a) of this section."

5 SEC. 104. Section 2155 of title 18, United States Code,
6 is amended to read as follows:

7 "§ 2155. Destruction of national-defense material, national-
8 defense premises or national-defense utilities

9 "(a) Whoever, with intent to injure, interfere with, or
10 obstruct the national defense of the United States, willfully
11 injures, destroys, contaminates or infects, or attempts to so
12 injure, destroy, contaminate or infect any national-defense
13 material, national-defense premises, or national-defense utili-
14 ties, shall be fined not more than \$10,000 or imprisoned not
15 more than ten years, or both.

16 "(b) If two or more persons conspire to violate this
17 section, and one or more of such persons do any act to effect
18 the object of the conspiracy, each of the parties to such con-
19 spiracy shall be punished as provided in subsection (a) of
20 this section."

21 SEC. 105. Section 2156 of title 18, United States Code,
22 is amended to read as follows:

23 "§ 2156. Production of defective national-defense material,
24 national-defense premises or national-defense
25 utilities

1 “(a) Whoever, with intent to injure, interfere with, or
2 obstruct the national defense of the United States, willfully
3 makes, constructs, or attempts to make or construct in a de-
4 fective manner, any national-defense material, national-
5 defense premises or national-defense utilities, or any tool,
6 implement, machine, utensil, or receptacle used or employed
7 in making, producing, manufacturing, or repairing any such
8 national-defense material, national-defense premises or na-
9 tional-defense utilities, shall be fined not more than \$10,000
10 or imprisoned not more than ten years, or both.

11 “(b) If two or more persons conspire to violate this sec-
12 tion, and one or more of such persons do any act to effect the
13 object of the conspiracy, each of the parties to such con-
14 spiracy shall be punished as provided in subsection (a) of
15 this section.”

16 SEC. 106. The analysis immediately preceding section
17 2151 of title 18, United States Code, is amended to read as
18 follows:

“Sec.

2151. Definitions.

2152. Fortifications, harbor defenses or defensive sea areas.

2153. Destruction of war material, war premises or war utilities.

2154. Production of defective war material, war premises or war utilities.

2155. Destruction of national-defense material, national-defense premises
or national-defense utilities.

2156. Production of defective national-defense material, national-defense
premises or national-defense utilities.”

1 TITLE II—DISCLOSURE OF INFORMATION RELAT-
2 ING TO NATIONAL DEFENSE

3 SEC. 201. Section 794 of title 18, United States Code, is
4 amended to read as follows:

5 “(a) Whoever, with intent or reason to believe that it is
6 to be used to the injury of the United States or to the
7 advantage of a foreign nation, communicates, delivers, or
8 transmits, or attempts to communicate, deliver, or transmit,
9 to any foreign government, or to any faction or party or
10 military or naval force within a foreign country, whether
11 recognized or unrecognized by the United States, or to any
12 representative, officer, agent, employee, subject, or citizen
13 thereof, either directly or indirectly, any document, writing,
14 code book, signal book, sketch, photograph, photographic
15 negative, blueprint, plan, map, model, note, instrument, ap-
16 pliance, or information relating to the national defense, shall
17 be punished by death or by imprisonment for any term of
18 years or for life.

19 “(b) Whoever, in time of war, with intent that the
20 same shall be communicated to the enemy, collects, records,
21 publishes, or communicates, or attempts to elicit any infor-

1 mation with respect to the movement, numbers, description,
2 condition, or disposition of any of the Armed Forces, ships,
3 aircraft, or war materials of the United States, or with re-
4 spect to the plans or conduct, or supposed plans or conduct of
5 any naval or military operations, or with respect to any
6 works or measures undertaken for or connected with, or
7 intended for the fortification or defense of any place, or
8 any other information relating to the public defense, which
9 might be useful to the enemy, shall be punished by death or
10 by imprisonment for any term of years or for life.

11 “(c) If two or more persons conspire to violate this
12 section, and one or more of such persons do any act to effect
13 the object of the conspiracy, each of the parties to such con-
14 spiracy shall be subject to the punishment provided for the
15 offense which is the object of such conspiracy.”

16 **TITLE III—REGISTRATION OF PERSONS TRAINED**
17 **IN ESPIONAGE AND SABOTAGE**

18 **SEC. 301.** Section 20 of the Internal Security Act of
19 1950 is hereby amended by repealing subsection (a) thereof,
20 and by deleting the designation “(b)” which appears in said
21 section.

22 **SEC. 302.** Except as hereinafter provided, every person
23 who has knowledge of, or has received instruction or assign-
24 ment in, the espionage, counterespionage, or sabotage service

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1 or tactics of a government of a foreign country or of a foreign
2 political party, shall register with the Attorney General.

3 SEC. 303. The registration of any person, as required by
4 this Act, shall be accomplished by filing with the Attorney
5 General a registration statement in duplicate, under oath,
6 to be prepared and filed in such manner and form, and con-
7 taining such information as the Attorney General, having
8 due regard for the national security and the public interest,
9 shall by regulations prescribe.

10 SEC. 304. The registration requirements of section 2
11 shall not apply to any person—

12 (a) who has obtained knowledge of or received
13 instruction or assignment in the espionage, counterespio-
14 nage, or sabotage service or tactics of a foreign govern-
15 ment or foreign political party by reason of civilian,
16 military, or police service or employment with the
17 United States Government, the governments of the sev-
18 eral States, their political subdivisions, the District of
19 Columbia, the Territories, or the Canal Zone; or

20 (b) who has obtained such knowledge solely by
21 reason of academic or personal interest not under the
22 supervision of or in preparation for service with the
23 government of a foreign country or a foreign political
24 party; or

1 (c) who has made full disclosure of such knowledge,
2 instruction, or assignment to officials within an agency
3 of the United States Government having responsibilities
4 in the field of intelligence, which disclosure has been
5 made a matter of record in the files of such agency, and
6 concerning whom a written determination has been made
7 by the Attorney General or the Director of Central In-
8 telligence that registration would not be in the interest
9 of national security; or

10 (d) whose knowledge of, or receipt of instruction or
11 assignment in, the espionage, counterespionage, or sabo-
12 tage service or tactics of a government of a foreign coun-
13 try or of a foreign political party, is a matter of record
14 in the files of an agency of the United States Govern-
15 ment having responsibilities in the field of intelligence
16 and concerning whom a written determination is made
17 by the Attorney General or the Director of Central In-
18 telligence, based on all information available, that regis-
19 tration would not be in the interest of national security;
20 or

21 (c) who is a duly accredited diplomatic or consular
22 officer of a foreign government, who is so recognized by
23 the Department of State, while said officer is engaged
24 exclusively in activities which are recognized by the
25 Department of State as being within the scope of the

1 functions of such officer, and any member of the imme-
2 diate family of such officer who resides with him; or

3 (f) who is an official of a foreign government, if such
4 government is recognized by the United States, whose
5 name and status and the character of whose duties as
6 such official are of record in the Department of State,
7 and while said official is engaged exclusively in activities
8 which are recognized by the Department of State as
9 being within the scope of the functions of such official,
10 and any member of the immediate family of such official
11 who resides with him; or

12 (g) who is a member of the staff of or employed by
13 a duly accredited diplomatic or consular officer of a for-
14 eign government who is so recognized by the Depart-
15 ment of State, and whose name and status and the
16 character of whose duties as such member or employee
17 are a matter of record in the Department of State, while
18 said member or employee is engaged exclusively in the
19 performance of activities which are recognized by the
20 Department of State as being within the scope of the
21 functions of such member or employee; or

22 (h) who is an officially acknowledged and spon-
23 sored representative of a foreign government and is in
24 the United States on an official mission for the purpose

1 of conferring or otherwise cooperating with United States
2 intelligence or security personnel; or

3 (i) who is a member of a force of a NATO country
4 who enters the United States under the provisions of
5 article III, paragraph (1) of the Agreement Regarding
6 Status of Forces of Parties of the North Atlantic Treaty,
7 or who is a civilian or one of the military personnel of
8 a foreign armed service who has been invited to the
9 United States for training purposes at the request of a
10 military department of the United States; or

11 (j) who is a person who has been designated by a
12 foreign government to serve as its representative in or
13 to an international organization or is an officer or em-
14 ployee of such an organization or who is a member of
15 the immediate family of, and resides with, such a rep-
16 resentative, officer, or employee.

17 SEC. 305. The Attorney General shall remain in perma-
18 nent form one copy of all registration statements filed under
19 this Act. They shall be public records and open to public ex-
20 amination and inspection at such reasonable hours and under
21 such regulations as the Attorney General may prescribe,
22 except that the Attorney General, having due regard for the
23 national security and public interest, may, in his discretion,
24 withdraw any registration statement from public examination
25 and inspection.

1 SEC. 306. The Attorney General may at any time make,
2 prescribe, amend, and rescind such rules, regulations, and
3 forms as he may deem necessary to carry out the provisions
4 of this Act.

5 SEC. 307. (a) Any person who willfully violates any
6 provision of this Act or any regulation thereunder, or who
7 in any registration statement willfully makes a false state-
8 ment of a material fact or willfully omits any material fact,
9 shall, upon conviction thereof, be punished by a fine of not
10 more than \$10,000 or by imprisonment for not more than
11 five years, or both.

12 (b) Any alien who shall be convicted of a violation of
13 any provision of this Act or any regulation thereunder shall
14 be subject to deportation in the manner provided by chapter
15 5, title II, of the Immigration and Nationality Act (66 Stat.
16 163).

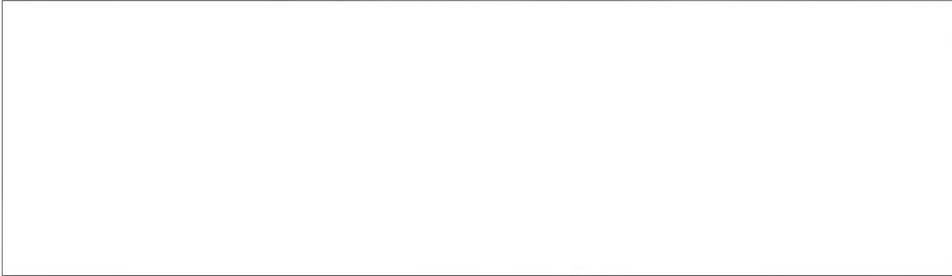
17 SEC. 308. Failure to file a registration statement as re-
18 quired by this Act shall be considered a continuing offense
19 for as long as such failure exists, notwithstanding any statute
20 of limitation or other statute to the contrary.

21 SEC. 309. Compliance with the registration provisions
22 of this Act shall not relieve any person from compliance with
23 any other applicable registration statute.

24 SEC. 310. If any provision of this Act or the applica-
25 tion thereof to any person or circumstances is held invalid,

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- 1 the remainder of the Act, and the application of such provi-
- 2 sions to other persons or circumstances, shall not be affected
- 3 thereby.



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